

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CARTER NEAL SIMS	:	CIVIL ACTION
	:	
vs.	:	
	:	
FRANKLIN J. TENNIS, et al.	:	NO. 06-2707

ORDER

AND NOW, this 29th day of November, 2006, upon careful and independent consideration of the pleadings and record herein, and after review of the Report and Recommendation of United States Magistrate Judge Timothy R. Rice, it is hereby **ORDERED** that:

1. Petitioner's Objections to the Report and Recommendation filed November 27, 2006, are **DENIED**;
2. the Report and Recommendation is **APPROVED** and **ADOPTED**;
3. the petition for a writ of habeas corpus (Doc. No. 1) is **DENIED**;
4. a certificate of appealability is not granted;

BY THE COURT:

/s/ Robert F. Kelly
ROBERT F. KELLY, Sr. J.